

Cote, J

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UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK

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|---------------------------------|---|
| ----- x | |
| KERYX BIOPHARMACEUTICALS, INC., | : |
| | : |
| Plaintiff, | : |
| | : |
| - against - | : |
| | : |
| PANION & BF BIOTECH, INC., | : |
| | : |
| | : |
| | : |
| Defendant. | : |
| ----- x | |

ECF CASE
 08 Civ. 3603 (DLC)
**STIPULATION TO
 EXTEND TIME TO
 ANSWER AND
 REQUESTING
 ADJOURNMENT OF
 CASE MANAGEMENT
 CONFERENCE**

WHEREAS counsel for Panion has recently been retained in this matter and requires additional time to consult with Panion, a Taiwanese company, before serving the Answer and Counterclaims, particularly in view of the 12-hour time difference between New York and Taiwan; and

WHEREAS the parties require additional time to meet and confer after Panion has served its Answer and Counterclaims in order to prepare and file a joint case management report and to resolve, so far as possible, any case management issues;

ACCORDINGLY, it is stipulated and agreed between the parties as follows:

1. The time for Panion to serve its Answer and Counterclaims is extended from June 30, 2008 up to and including July 8, 2008; and

2. The parties jointly request the Court to adjourn the Initial Case Management Conference from July 11, 2008 (as presently scheduled) until August 8, 2008. *The conference is scheduled for August 8 at 9:30 am.*
There have been no previous requests for adjournment of either of the foregoing dates.

Dated: New York, New York
June 30, 2008

FRIED, FRANK, HARRIS, SHRIVER
AND JACOBSON LLP

By: _____

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Attorney for Defendant
Panion & BF Biotech, Inc.

IT IS SO ORDERED

Dated: July 1, 2008

The Honorable Denise L. Cote
United States District Judge

1. The time for Panion to serve its Answer and Counterclaims is extended from June 30, 2008 up to and including July 8, 2008; and

2. The parties jointly request the Court to adjourn the Initial Case Management Conference from July 11, 2008 (as presently scheduled) until August 8, 2008.

There have been no previous requests for adjournment of either of the foregoing dates.

Dated: New York, New York
June 30, 2008


FRIED, FRANK, HARRIS, SHRIVER
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Attorney for Defendant
Panion & BF Biotech, Inc.

IT IS SO ORDERED

Dated: _____, 2008

The Honorable Denise L. Cote
United States District Judge

